

Staff Summary Report



Council Meeting Date: 09/12/02

Agenda Item Number: 20

SUBJECT: Resolution authorizing the acquisition and/or condemnation of the property necessary for the Artisan Park Project in the Apache Boulevard Redevelopment Project area.

DOCUMENT NAME: 20020912cacc01 **REAL PROPERTY ACQUISITION-ARTISAN PARK PROJECT (0905)** Resolution No. 2002.45.

SUPPORTING DOCS: Yes

COMMENTS: N/A

PREPARED BY: Larry Schmalz, Senior Planner (350-8924)

REVIEWED BY: C. Brad Woodford, City Attorney (350-8229)

LEGAL REVIEW BY: C. Brad Woodford, City Attorney (350-8229)

FISCAL NOTE: Funding for this project will be included in the Fiscal Year 2002/03 Capital Improvement Program budget for the Apache Boulevard Redevelopment Area.

RECOMMENDATION: Adopt Resolution No. 2002.45 authorizing the acquisition, including condemnation of the property for the Artisan Park Redevelopment Project. Authorize the Mayor to execute any documents that may be necessary to carry out the purchase of the property for the redevelopment area.

ADDITIONAL INFO: The Artisan Park Project is a residential housing development consisting of 68 for sale units in the Apache Boulevard Redevelopment Project Area. The units consist of a mixture of loft to three bedroom units. The Artisan Park Development and Disposition Agreement stipulates that the City will acquire all of the property necessary for the project and then sell the property to the developer. The project area consists of approximately 20 parcels. The City is the owner of 11 of the properties and has a purchase agreement on 1 property. The remaining 8 properties are owned by 4 investors and 1 resident.

RESOLUTION NO. 2002.45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPE AUTHORIZING THE ACQUISITION, INCLUDING CONDEMNATION OF PROPERTY NECESSARY FOR THE COMPLETION OF THE ARTISAN PARK PROJECT ADJACENT TO PORTIONS OF SPENCE AVENUE, TERRACE ROAD AND NEWBERRY LANE IN THE APACHE BOULEVARD REDEVELOPMENT PROJECT AREA.

WHEREAS, the City Council created the Apache Boulevard Study Area in May 9, 1996, and adopted the Apache Boulevard Redevelopment Plan on December 11, 1997.

WHEREAS, the City promulgated a Request for Proposals (RFP), dated March 15 2000, for the redevelopment of the property which is located within the Apache Boulevard Redevelopment Project Area for the development of "for-sale" housing described in "Exhibit A". The City accepted ARTISAN PARK LLC (developer) as the successful respondent to the RFP. The City approved a Development and Disposition Agreement (agreement) with the developer for the development of "for-sale" housing units (Artisan Park Redevelopment Project). The agreement requires the City of Tempe to acquire the properties necessary for the development of the Artisan Park Redevelopment Project.

WHEREAS, the acquisition of the property is in the best interest of the City of Tempe, and it would appear to be in the best interest of the City of Tempe to proceed in a timely manner, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, as follows:

Section 1. That the real property described in "Exhibit A" is necessary for the Artisan Park Redevelopment Project in the Apache Boulevard Redevelopment Area. That it is deemed essential as a matter of public use and necessity that the Artisan Park Redevelopment Project proceed in a timely manner.

Section 2. That the staff, including the City Attorney's Office, is directed to proceed with the acquisition, including condemnation of all property necessary for the completion of the Artisan Park Redevelopment Project.

Section 3. That property affected by this Resolution is described on a map attached hereto as Exhibit "A" and represents the boundaries of the Artisan Park Redevelopment Project.

Section 4. Shall the need arise the Mayor is hereby authorized to execute any documents that may be necessary to carry out the purpose of this resolution.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,
ARIZONA, this ____ day of _____, 2002.

MAYOR

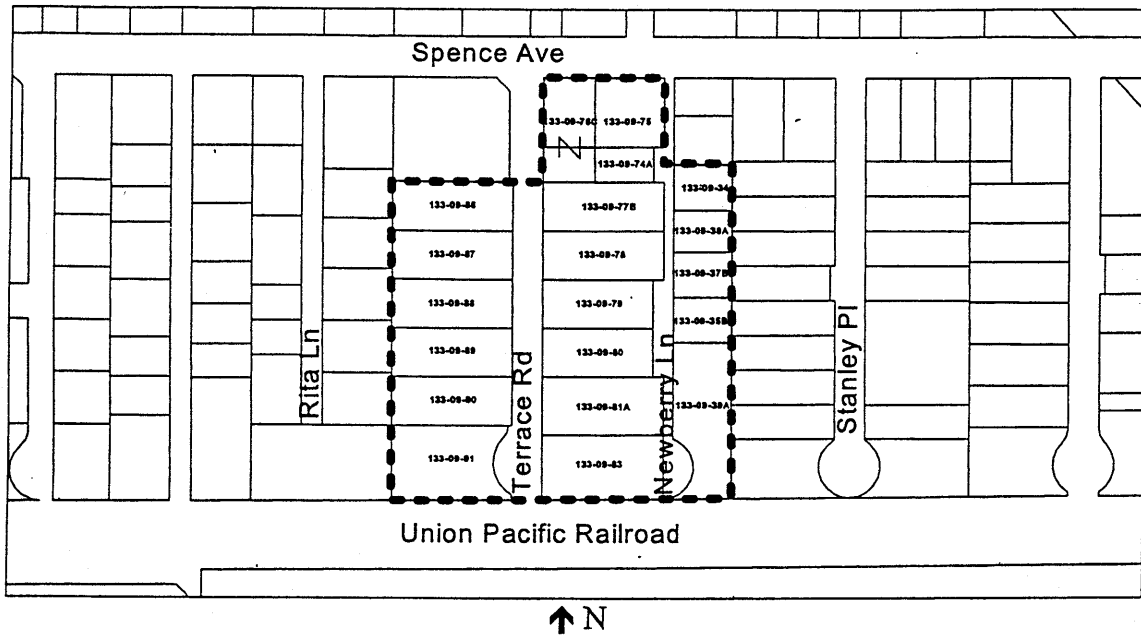
ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit "A" - Legal Description of Property



Assessor's Number 133 09 034

Parcel 1:

The South 65 feet of the North 190 feet of Lot 36, JEN TILLY TERRACE, a subdivision recorded in Book 28 of Maps, page 40, records of Maricopa County, Arizona; Except the West 15 feet.

Parcel 2:

A non-exclusive easement for ingress and egress over the West 12 feet of the North 125 feet of Lot 36, JEN TILLY TERRACE, a subdivision recorded in Book 28 of Maps, page 40, records of Maricopa County, Arizona

Assessor's Number 133 09 035B

The North 65 feet of the South 185 feet of Lot 36, JEN TILLY TERRACE, a subdivision recorded in Book 28 of Maps, page 40, records of Maricopa County, Arizona; Except the West 15 feet conveyed to the City of Tempe in Deed recorded in Docket 7536, page 274.

Assessor's Number 133 09 037B

The North 65 feet of the South 250 feet of Lot 36, JEN TILLY TERRACE, a subdivision recorded in Book 28 of Maps, page 40, records of Maricopa County, Arizona; Except the West 15 feet.

Assessor's Number 133 09 038A

Lot 36, JEN TILLY TERRACE, a subdivision recorded in Book 28 of Maps, page 40, records of Maricopa County, Arizona; Except the South 250 feet; and Except the North 190 feet; and Except the West 15 feet.

Assessor's Number 133 09 039A

The South 120 feet of Lot 36, JEN TILLY TERRACE, a subdivision recorded in Book 28 of Maps, page 40, records of Maricopa County, Arizona

Assessor's Number 133 09 074A

The South 50 Feet of Lot 1, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona; Except the East 15 feet.

Assessor's Number 133 09 075

Lot 1, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona; Except the South 50 feet.

Assessor's Number 133 09 076C

Parcel 1:

Lot 2, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Parcel 2:

The South 50 feet of Lot 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona; Except the East 15 feet.

Assessor's Number 133 09 077B

Lot 3, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 078

Lot 4, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 079

Lot 5, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona; Except the East 15 feet.

Assessor's Number 133 09 080

Lot 6, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona; Except the East 15 feet.

Assessor's Number 133 09 081

Lot 7 and 8, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 083

The South 94 feet of Lot 8, Block 1, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 086

Lot 3, Block 2, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 087

Lot 4, Block 2, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 088

Lot 5, Block 2, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 089

Lot 6, Block 2, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 090

Lot 7, Block 2, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona

Assessor's Number 133 09 091

Lot 8, Block 2, Terrace Tract, a subdivision recorded in Book 37 of Maps, page 13, records of Maricopa County, Arizona; Except the part Deeded to the City of Tempe DKT 87-570792